

Hon. Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

LISA C. NEAL, an individual,

Plaintiff,

vs.

CITY OF BAINBRIDGE ISLAND, a
Washington State municipal corporation,

Defendant.

NO.: 3:20-cv-06025-RSL

**DECLARATION OF CHRISTOPHER
NEAL IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANT CITY
OF BAINBRIDGE ISLAND'S MOTION
TO DISMISS PLAINTIFF'S CLAIMS
OR, IN THE ALTERNATIVE,
BIFURCATION OF PRA CLAIMS, AND
REQUEST FOR LEAVE TO AMEND**

ORAL ARGUMENT REQUESTED

**NOTED FOR HEARING:
FRIDAY, MARCH 26, 2021**

I, Christopher L. Neal, declare as follows:

1. I am Plaintiff's counsel in this lawsuit. I make this declaration based on my personal knowledge of admissible facts. I am competent to testify to the matters set forth in this declaration.

2. Plaintiff's Opposition to Defendant's Motion to Dismiss is supported by Appendix A, Appendix B, and Appendix C. These appendices, incorporated here,

DECLARATION OF CHRISTOPHER NEAL- 1
(Cause No. 3:20-cv-06025-RSL)

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1 provide references to public record video excerpts from parts of Bainbridge Island
2 City Council meetings that contain information that is relevant to Plaintiff's claims
3 made in her First Amended Complaint (Dkt 3), to Defendant's Motion to Dismiss
4 those claims (Dkt 10), and to Plaintiff's Opposition to Defendant's Motion to Dismiss
5 to which this Declaration applies. Attached hereto as Exhibits A, B, and C are
6 transcriptions of what was said in the video excerpts. I created the transcriptions to
7 the best of my ability. The transcriptions are true and correct representations of what
8 was said in each video excerpt, and by whom.
9

10 3. Per the public record, Bainbridge Island Municipal Code Ordinance
11 No. 2018-46 was discussed and voted on at the Dec 11, 2018 Council meeting
12 (Appendix A), and passed into law unanimously *via* the Consent Agenda unchanged
13 at the Jan 8, 2019 Council meeting, requiring the numbering change to Ordinance No.
14 2019-01. The video of the January 8, 2019, Council meeting is found here:
15 <https://bainbridgewa.granicus.com/player/clip/71> and the Agenda Item is 9.E.
16 (9.E. begins at timestamp 2:08:13): "Ordinance No. 2019-01 (Formerly Ordinance No.
17 2018-46), Creating a Uniform Process for the Removal and Resignation of Members
18 of Citizen Advisory Committees as well as for the Demotion of the Chairs of Citizen
19 Advisory Committees."
20

21 4. COBI's counsel, Jayne Freeman, accepted service of Plaintiff's First
22 Amended Complaint *via* email on January 14, 2021. Attached as Exhibit D is a true
23 and correct copy of our corroborating email exchange.

24 5. Discovery is anticipated to reveal different treatment for the Island
25 Center recordings, than for other committees. The Fed. R. Civ. P. 26(f) conference
26 occurred on March 5, 2021, and COBI has now moved to stay all discovery. Dkt 12.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

NEAL FIRM, PLLC

/s/ Christopher L. Neal
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CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2021, I electronically filed the foregoing with the Clerk of the Court using the EM/ ECF system, which will send notification of such filing to the following:

Jayne L. Freeman, WSBA #24318
Audrey M. Airut Murphy, WSBA #56833
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DATED: March 22, 2021

NEAL FIRM, PLLC

/s/ Christopher L. Neal
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